



ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS

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Regular Session Minutes

April 17, 2015

Board Members Present: John Tutelman, Chair, Public Member
Dr. Donald Hosenfeld Vice Chair, OT Member
Quenton McCallister, OT Member
Dana Hutchings, OT Member
Karen Belyan, Public Member

Staff Present: J. Randy Frost, Executive Director
Vicki Egurrola, Administrative Assistant

Legal Staff Present: Michael Raine, Assistant Attorney General

Call to Order

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:36 p.m. John Tutelman, presiding.

Roll Call

All Board members were present for the meeting.

Approval of Minutes

Regular Session Meeting Minutes of March 13, 2015

Dr. Donald Hosenfeld moved to approve the March 13, 2015 regular session meeting minutes as amended. Dana Hutchings seconded the motion. The motion passed 5-0.

Declaration of Conflict of Interest

Dr. Donald Hosenfeld recused himself from Agenda item 6(b) (2).

Review Meeting Schedule

The Board reviewed the meetings schedule for:

- May 8, 2015
- June 12, 2015
- July 10, 2015

There were no changes made to the meeting schedule.

Initial Review of New Complaints

There were no new complaints.

Open Complaints/Investigations

Margaret Murphy 14-OT-2903, Assistant Attorney General, Michael Raine informed the Board that he had been contacted by Attorney Clifford Levinson, counsel for Ms. Murphy. Mr. Levinson requested that the Board continue the hearing for 30 days to allow him time to review the case since he was just retained by Ms. Murphy. The Board obliged and the hearing will take place at the May 8, 2015 meeting.

Beth Williamson 15-OT-4442 and 15-OT-4442 B, Dr. Williamson was in attendance accompanied by counsel. Michael Schwartz and Melisa Ho, counsel for Dr. Williamson, requested to address the Board regarding the two complaints filed against Dr. Williamson. Board Chair, John Tutelman invited Mr. Schwartz to come forward and address the Board. Mr. Schwartz read a letter written by Christine Rosenberg, OTR on behalf of Dr. Williamson. Ms. Rosenberg's letter was in support of Dr. Williamson. Mr. Schwartz also provided the Board with numerous letters from other Occupational Therapists, Fiesta Pediatrics employees, former employees and the parents of former patients. The letters all supported Dr. Williamson. Mr. Schwartz also provided the Board with sworn affidavits from individuals who were listed as witnesses by the complainants Gindira and Kelly McLemore. These affidavits refuted earlier statements provided by the McLemores.

The Board also heard from Dr. Beth Williamson. The Board asked her to provide her account of the meeting with the complainants that precipitated the complaint. She provided her recollection of what occurred with the McLemore's child and with the McLemores in a meeting. Dr. Williamson stated that she and her staff felt threatened by Mr. McLemore and as a result dropped their son as a patient.

The Board had several questions of Dr. Williamson. At the conclusion of the Boards questions, Mr. Tutelman called upon individuals who had signed in as wishing to speak. At this time, Ms. McLemore requested to ask a question of Dr. Williamson. Mr. Schwartz objected to what he called a cross examination of his client who is not on trial.

Karen Belyan requested to go into executive session for legal advice at 2:12 pm. Quenton McCallister seconded the motion. The motion passed 4-0.

The Board returned from executive session at 2:30 p.m. Upon return, Board Chair, John Tutelman reminded everyone that the purpose of today's discussion was for the purpose of finding facts and not for purposes of cross examination. He stated that this was not a trial but an informal discussion.

Board members had a number of questions for Dr. Williamson regarding her billing practices. Ms. Williamson explained that an outside company used to handle it however after having problems with the company she took the billing in house.

The Board continued to hear from individuals who signed in to speak in support of and against Dr. Williamson. After hearing the discussions the Board discussed alternatives on dealing with

the matter. John Tutelman moved to dismiss the McLemores complaint against Dr. Williamson. Karen Belyan seconded the motion. The motion passed 4-0.

The Board then started discussion on the second complaint against Dr. Williamson. This complaint was filed by Joanne Zuniga, a former employee of Fiesta Pediatrics. John Tutelman opened the discussion by informing all in attendance that there were new documents obtained that the Board and Dr. Williamson hadn't had time to review. Mr. Tutelman stated that he was inclined to table the matter however he wanted to allow anyone wishing to speak the opportunity to do so. The Board heard from many individuals in support of Dr. Williamson and from Joanne Zuniga who filed the complaint. Mr. Tutelman then asked Board Members if anyone had any questions of Dr. Williamson or Ms. Zuniga. Dr. Williamson answered several questions about Ms. Zuniga's role at Fiesta Pediatrics and emails provided to the Board. At the end of questioning, Dr. Williamson and her Counsel excused themselves and left the meeting room.

Board Chair, John Tutelman called upon one additional member signed in to speak. Another former employee spoke against Dr. Williamson. She made allegations that Dr. Williamson knew about fraudulent billing and encouraged it. At the completion of the comment period Quenton McCallister moved to table the discussion until the May 8 meeting to give the Board time to look over additional documents provided. Karen Belyan seconded the motion. The motion passed 4-0

Status of Compliance with Board Order/Approval of Board Ordered CE

The Board discussed the Complaint Action Status Report of the following licensees:

1. Michelle Siegel 14-OT-5789, The Board staff reported that Ms. Siegel is in compliance. Staff received her final quarterly report on 4/13/15. Ms. Siegel has completed the terms of her consent agreement.
2. Amy Ryan 14-OT-0933, Staff reported that Ms. Ryan has completed the Board required CEUs and is scheduled to have a health evaluation in March and have the evaluation forwarded to the Board afterward. She will remain on probation until October 2015.
3. Michelle Bowman 14-OT-5246, The Board staff reported that there is nothing new to report. A reminder was sent to Ms. Bowman to complete her continuing education. Ms. Bowman must complete her requirements by 5/4/15.

Substantive Review, Discussion, and Vote Re: Applications for Licenses as Follows:

Initial Applications

Shoshanna Abels	Elizabeth Allstadt	Nancy Anderson	Aaron Blubaugh
Kristy Buck*	Lea Curcio	Gayle Eason	Aidee Garza
Laurie Gilbert	Amy Hecker	Marie Jarvis-Rolfing	Brandon Jones*
Anna Larson	Kenneth Latner	Julia Litschel	Sharilyn Macoy
Laura Palmer	Elisabeth Ramirez	Anne Rego	Angela Samson
Eileen Scott	Alyssa Shirek	Andrew Strmic	Pamela Talero Cabrejo
Leslie Tamayo	Katrina Trujillo	Corinne Wildermuth	Arra-Mela Wilson

John Tutelman moved to approve the 28 initial applications. Karen Belyan seconded the motion. The motion passed 5-0.

Renewal of Licenses

Kristy Anderson	Clovis Atkinson	Paige Ayers	Gretchen Bachman
Carolyn Barnes	Kathryn Barrett	Melanie Bates	Jamie Bigley
Andrea Bradford	Geralyn Bradley	Laurel Buell	Danielle Burmeister
Carol-Ann Burns	Anne Carlsson	Shawna Christofis	Stephanie Cole
Lynda Correa	Grete DiChiara	Mary Didde-Esteban	Chelsie Dokman
Shelley Donald	Martha Elafros	Megan Eldridge	Sara Franke
Carrie Freese	Lisa Galow*	Melissa Gardner	Alisha Green
Christine Greer	Karen Gunn	Andrea Guzman	Vicki Harrison
Tina Healy	Julie Heskin	Laura Hoelting	Julie Johnson
Virginia Johnson	Tod Keam	Diane Kiel	Chakeela Kimble
Karen Larsen	Brenda Long	Robyn Lundeen	Amy Lyons-Kennedy
Marcus Maddox	Judith Manuel	Rebecca McMahon	Debra Miller
Kimberly Morefield	Jennifer Neal	Chelsey Nicholson	Peter Nordland
Kathleen O'brien	Megan Olson	Autumn Pasioka	Timmery Perez
Rachel Perkins Garner	Sharla Peterson	Stephanie Pillor	Kristie Porter
Emily Pridgeon	Patricia Rafferty	Dawn Reibel	Debra Rhoads
Katherine Riches	Jessica Rigney	Anna Rinholen	Elizabeth Schaff
Joel Tagle	Kristine Tarbell	Dianne Tennant-Rucker	Carolyn Thompson
Michelle Tims	Esther Toney	Allison Troutman	Susan Tully
Noel Vaia	Jaci Watson	Tamara Wheeler	Jane Willis
Melisa Wilson	Marilyn Zindel		

John Tutelman made a motion to approve the 82 renewal license applications. Quenton McCallister seconded the motion. The motion passed 5-0.

c. Limited Licenses

There were no requests for limited licenses.

Review, Discussion, and Possible Action on Administrative Matters

- a. Revenue and Expenditure Report. Executive Director, Randy Frost provided the Board with an updated revenue and expenditure report. Mr. Frost stated that the report shows that the Board is well within its budget. Mr. Frost also provided the Board with a deposits report.
- b. Administrative Projects Status Report. Mr. Frost updated the Board on the following administrative projects:
 - Policies and Procedures- Mr. Frost updated the Board that the policies and procedures approved at the last meeting are in the process of being implemented.
 - Updating the Boards licensing program, Staff is working with ADOA on hardware and software upgrades. The new hardware and software have arrived and within the next few weeks should be installed.
 - Legislative Updates, Mr. Frost provided the Board with updates.
 - Rule Revisions, Mr. Frost updated the Board on the status of the request for an exemption from The Governors moratorium on all rule making.
 - Required Board Member Training, Mr. Frost informed the members that staff is exploring additional training opportunities. Board Member, Karen Belyan agreed to provide training at a future Board meeting. She recently attended a webinar regarding an antitrust case that could affect the Board.

Review, Discussion and Possible Action, Other Board Business and Reports

US Supreme Court Ruling in the case of the North Carolina State Board of Dental Examiners v. Federal Trade Commission. Board Member, Karen Belyan gave the Board a quick overview of a webinar held by the NBCOT.

Agenda items for next meeting – if any

There were no new items for next meeting

Call to the Public

There were no public members requesting to address the Board.

Adjournment

There being no further business before the Board, the meeting adjourned at 4:10 p.m.

Respectfully submitted,

J. Randy Frost

J. Randy Frost, Executive Director